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RUEHKO/AMEMBASSY TOKYO 1963
RUEHUL/AMEMBASSY SEOUL 0922
RUCNDT/USMISSION USUN NEW YORK 2456
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SUBJECT: KAZAKHSTAN: AMBASSADOR DISCUSSES BILATERAL CONSULTATIONS,
ZHOVTIS, DIPLOMATIC PLATES WITH DEPUTY FOREIGN MINISTER

REFTEL: STATE80747

11. (U) Sensitive but unclassified. Not for public Internet.

12. (SBU) SUMMARY: On September 2, the Ambassador met with Deputy Foreign Minister Konstantin Zhigalov to present officially Under Secretary Blake's proposal on Annual Bilateral Consultations. Zhigalov responded that the government is quite pleased with this mechanism but wants to ensure high-level participation from both sides. The Ambassador emphasized the necessity of a free, transparent, apolitical trial for human-rights activist Yevgeniy Zhovtis who is accused of vehicular manslaughter. Zhigalov asked the Ambassador to respond to the Foreign Ministry's diplomatic note about an alleged misuse of diplomatic license plates. END SUMMARY.

ANNUAL BILATERAL CONSULTATIONS

13. (SBU) At the beginning of a September 2 meeting with Deputy Foreign Minister Konstantin Zhigalov, the Ambassador pointed to his stack of talking points and joked, "This is what happens when you delay meeting with us. We have more and more work." Zhigalov said that his serious back problem, which had led to the meeting's repeated postponement, had improved, thanks to a good chiropractor. The Ambassador passed Zhigalov the official letter and proposal for Annual Bilateral Consultations (ABC, see reftel). [NOTE: We had passed the proposal to Americas Director Askar Tazhiyev on September 1 because Zhigalov's extended foreign travel had prevented the Ambassador from meeting with him before that date. END NOTE.] At the Ambassador's request, Zhigalov undertook to prepare a detailed list of what Kazakhstan would like included in the ABC's subgroups.

14. (SBU) Emphasizing form over substance, at least initially, Zhigalov stated that the government wants a proposal on the level of the head of each delegation, with potential options. For example, Kazakhstan could send the Deputy Head of Presidential Administration - Maulen Ashimbayev or someone less official, such as Human Rights Ombudsman Askar Shakirov, for the human-dimension discussion. Zhigalov also suggested that the technical meetings occur over a period of six months, with the high-level consultation following three months later. Recalling the phone conversations between President Nazarbayev and the President and Vice President, Zhigalov strongly recommended that Secretary Clinton and Foreign Minister

Tazhin chair the ABC. The Ambassador said he would pass that recommendation back to Washington. [COMMENT: Zhigalov is well aware we have proposed that he and SCA Assistant Secretary Bob Blake chair the ABC, but is pushing back because Secretary Clinton and Foreign Minister Lavrov are chairing the U.S.-Russia Commission. Since face matters here, we wonder if Clinton and Tazhin could be the titular heads of Kazakhstan's ABC, while Blake and Zhigalov would be the working heads? END COMMENT.]

YEVGENIY ZHOVTIS

15. (SBU) The Ambassador emphasized the importance of a fair, transparent, non-politicized trial of human-rights activist Yevgeniy Zhovtis. (NOTE: Zhovtis currently is being tried for manslaughter in connection with an auto accident that occurred when he was driving. END NOTE.) Zhigalov "totally agreed" that the process must be transparent and that Zhovtis is a "serious person who is widely respected in Kazakhstan and beyond." However, he added that "it is international human rights groups who are politicizing the issue." After an extended, back-and-forth disagreement on some of the details of the case, the Ambassador again urged that this high-profile case be conducted with utmost fairness and transparency. He added, "In both politics and diplomacy, perception is sometimes more important than reality." Zhigalov took the point but said nothing further.

DIPLOMATIC PLATES, DIPLOMATIC NOTE

16. (SBU) Zhigalov said he had an "unpleasant matter" to raise and urged the Ambassador to take seriously the Foreign Ministry's diplomatic note protesting the alleged misuse of diplomatic license plates during a recent incident in Almaty that involved a part-time

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LES on contract to NOAA. From the details Zhigalov cited, it seems likely he was working from a talking point prepared from elsewhere than the Foreign Ministry. The Ambassador responded that we do indeed take this matter seriously but do not want to blow it out of proportion at this time, and so we should deal with the simplest parts of the issue first. He told Zhigalov the Embassy will respond to the diplomatic note soonest. Zhigalov again stressed that the Ambassador must "consider it carefully." [NOTE: This is an issue about which we have kept the Department updated by e-mail and will now report by front-channel septel. END NOTE.]

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